

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

Williamson County Emergency ) DOCKET NO.  
Telephone System Board ) 14-0485  
)  
Verified Petition to Modify the )  
9-1-1 System Provider. )

Springfield, Illinois

August 19, 2014

Met, pursuant to notice, at 9:45 a.m.

BEFORE :

John D. Albers, Administrative Law Judge

MIDWEST LITIGATION SERVICES  
by: Dorothy J. Hart, RPR, CSR  
CSR #084-001390

1 APPEARANCES:

2 Tyler Edmonds  
3 Union County State's Attorney  
309 West Market Street, Room 239  
4 Jonesboro, Illinois 62952  
(Appearing via teleconference  
5 on behalf of Union County  
Emergency Telephone System Board)

6 Wendy Cunningham  
7 Williamson County State's Attorney's Office  
200 West Jefferson Street, Suite 05  
8 Marion, Illinois 62959  
(Appearing via teleconference  
9 on behalf of Williamson County  
Emergency Telephone System Board)

10  
11 Matthew L. Harvey  
Office of General Counsel  
12 Illinois Commerce Commission  
160 North LaSalle Street, Suite C-800  
13 Chicago, Illinois 60601  
(Appearing via teleconference on  
14 behalf of the Staff of the  
Illinois Commerce Commission)

15  
16 John H. Kelly  
Ottosen Britz Kelly Cooper  
17 Gilbert & DiNolfo, Ltd.  
1804 North Naper Boulevard, Suite 350  
18 Naperville, Illinois 60563  
(Appearing via teleconference  
19 on behalf of NG-911, Inc.)

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2	WITNESSES		PAGE
3	(None)		
4			
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6	EXHIBITS	IDENTIFIED	ADMITTED
7	(None)		
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1 PROCEEDINGS

2 JUDGE ALBERS: By the authority vested  
3 in me, I now call Docket Number 14-0483, which  
4 concerns the Petition to Modify the Emergency  
5 Telephone System for Marion -- I'm sorry, for the  
6 City of Marion, and Docket Number 14-0484, which  
7 concerns the Petition to Modify the Emergency  
8 Telephone System for Union County, and Docket  
9 Number 14-0485, which concerns the Petition to  
10 Modify the Emergency Telephone System for  
11 Williamson County. These dockets have not been  
12 consolidated.

13 Can I have the appearances of the  
14 attorneys, please?

15 MR. EDMONDS: This is Tyler Edmonds.  
16 I'm the Union County State's Attorney on behalf of  
17 the Union County Emergency Telephone System Board.

18 JUDGE ALBERS: Thank you. Could you  
19 please state your address as well, please?

20 MR. EDMONDS: It's 309 West Market  
21 Street, Room 239, Jonesboro, Illinois 62952.

22 JUDGE ALBERS: Thank you.

23 MS. CUNNINGHAM: Your Honor, this is  
24 Wendy Cunningham with the Williamson County State's

1 Attorney's Office and I'm representing the  
2 Williamson County Emergency Telephone System Board.  
3 My office is at 200 West Jefferson Street, Suite  
4 05, Marion, Illinois 62959. Phone number is area  
5 code 618-998-229 (sic).

6 MR. HARVEY: Appearing for the Staff of  
7 the Illinois Commerce Commission, Matthew L.  
8 Harvey, 160 North LaSalle Street, Suite C-800,  
9 Chicago, Illinois 60601.

10 MR. KELLY: Appearing on behalf of the  
11 Intervenor, my name is John Kelly of Ottosen Britz,  
12 O-t-t-o-s-e-n B-r-i-t-z, 1804 North Naper  
13 Boulevard, Naperville, Illinois 60563.

14 JUDGE ALBERS: Any others wishing to  
15 enter an appearance?

16 (No response)

17 JUDGE ALBERS: Was there any attorney  
18 present for the City of Marion?

19 MS. CUNNINGHAM: Your Honor, at this  
20 time there is no attorney present for the City of  
21 Marion. He was questioning whether he needed to  
22 have an attorney with him.

23 JUDGE ALBERS: That's fine. I just  
24 didn't want to leave anybody out.

1                   Let the record reflect then there are  
2 no others wishing to enter an appearance.

3                   As far as preliminary matters, I have  
4 the August 6th Petition to Intervene from NG-911 in  
5 each of the three dockets. Is there any objection  
6 to their intervention?

7                   MR. EDMONDS: Union County has no  
8 objection, Your Honor.

9                   MS. CUNNINGHAM: Williamson County has  
10 no objection, Your Honor.

11                  JUDGE ALBERS: Well, hearing no  
12 objection, then the Petition to Intervene in each  
13 docket is granted.

14                  Also, on July 28th there were Petitions  
15 for Propriety Treatment of Certain Data and  
16 Information in Exhibits 7 and 11 attached to each  
17 petition. Does anyone wish to respond to that  
18 petition or otherwise object to it? We can set a  
19 schedule if so.

20                               (No response)

21                  JUDGE ALBERS: All right. If no one  
22 does want to respond to that, I'll just take that  
23 as there being no objection to it.

24                  And also with regard to confidential

1 treatment, in the first docket of this matter or of  
2 this such -- I'm sorry. In the first docket of  
3 this sort, Docket 13-0669, there were certain terms  
4 adopted governing the handling of confidential  
5 information. Since we have the same issues, would  
6 there be any objection to adopting the same terms  
7 in these dockets?

8 MR. HARVEY: None from Staff, Your  
9 Honor.

10 MR. KELLY: None from NG-911, Inc..

11 JUDGE ALBERS: All right. If there's  
12 no objection, I'll go ahead and issue a ruling  
13 adopting those terms.

14 And does anyone else have any  
15 preliminary matters they would like to raise?

16 (No response)

17 JUDGE ALBERS: I'll take that as a no.

18 As far as scheduling, we have already  
19 received the brief testimony accompanying each  
20 petition, but I imagine NG-911 would like to file  
21 some additional testimony prior to hearing from  
22 Staff and the Intervenors.

23 Is that correct, Mr. Kelly?

24 MR. KELLY: Yes, Your Honor, that is

1 correct. NG-911 will file additional testimony  
2 from Michael Ramsey.

3 JUDGE ALBERS: Do you know when we  
4 might see that?

5 MR. KELLY: If Mr. Ramsey's on the  
6 phone, I would venture 14 days, but I -- I'm not  
7 sure if that's acceptable.

8 MR. RAMSEY: This is Mr. Ramsey with  
9 NG-911, Inc., Your Honor. We would be able to meet  
10 or exceed the 14 days. I'll discuss it with  
11 Counsel and render a response immediately.

12 JUDGE ALBERS: All right. Well, I  
13 guess we'll --

14 MR. KELLY: Why don't we say 14 days,  
15 Your Honor? I think we can get it accomplished  
16 within that time.

17 JUDGE ALBERS: All right. Well, we'll  
18 see that testimony by September 2nd then. And  
19 that's in each of the dockets. That's what I'm  
20 referring to. Is that your understanding as well?

21 MR. KELLY: Yes, Your Honor.

22 JUDGE ALBERS: Okay.

23 MR. KELLY: Because I believe the  
24 testimony, with the exception of certain names,



1 will probably be very much similar in all three of  
2 the dockets.

3 JUDGE ALBERS: Okay. And then as far  
4 as Staff and any Intervenor, if we get any, is  
5 there any sense, Mr. Harvey, as to how much time  
6 you'd like to respond to that?

7 MR. HARVEY: I think given the somewhat  
8 repetitive nature of these dockets, we probably  
9 don't need any discovery and we can probably get  
10 something done in two weeks after that.

11 JUDGE ALBERS: That gets us to  
12 September 16th. And for the Counsel for the  
13 Petitioners and NG-911, would you like to go ahead  
14 and set a date for any rebuttal you might feel like  
15 filing to Staff's testimony?

16 MR. EDMONDS: Yes, Your Honor.

17 JUDGE ALBERS: I know you haven't --

18 MR. EDMONDS: I think --

19 JUDGE ALBERS: -- seen it yet  
20 obviously. Oh, go ahead.

21 MR. EDMONDS: I think 14 days should  
22 probably be sufficient.

23 JUDGE ALBERS: All right. That gets us  
24 to September 30th.

1                   MR. KELLY: And that's fine with NG-911  
2 also.

3                   JUDGE ALBERS: All right. Then we can  
4 probably go ahead and set this for an evidentiary  
5 hearing then at that point, I suspect. If anyone  
6 wants to try and change that, go ahead and let me  
7 know, and we can work something out. But as far as  
8 the calendar, we're in October then. So why don't  
9 we go off the record for a minute and just look on  
10 our calendars.

11                   (Discussion off the record.)

12                   JUDGE ALBERS: We've looked at our  
13 calendars and it appears that everyone can attend  
14 an evidentiary hearing on October 1st at 1 p.m..

15                   And I will just throw out there that if  
16 it appears to be, you know, relatively uncontested,  
17 we can do this by phone on the 1st.

18                   Is there anything else for the record  
19 today?

20                   MR. HARVEY: Nothing from Staff, Your  
21 Honor.

22                   MR. EDMONDS: Nothing on behalf of  
23 Union County.

24                   MS. CUNNINGHAM: Nothing on behalf of

1 Williamson County, Your Honor.

2 MR. KELLY: And nothing on behalf of  
3 NG-911, Inc..

4 JUDGE ALBERS: All right. Well, thank  
5 you all. And with that, I'll continue this to  
6 October 1st at 1 p.m.

7 (The matter was continued to  
8 October 1, 2014, at 1 p.m.)

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CERTIFICATE OF REPORTER

STATE OF ILLINOIS )  
 ) ss  
COUNTY OF SANGAMON )

I, DOROTHY J. HART, a Registered Professional Reporter and Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties involved in this proceeding, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Registered Professional Reporter  
Certified Shorthand Reporter  
Illinois CSR No. 084-001390